



POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee The Burnham Institute is a co-owner of the entire right, title and interest of U.S. patent application Ser. No. 10/024,450, filed on December 17, 2001, as attorney docket number P-LJ 5101, and entitled METHODS OF DETECTING AND TREATING MICROSATELLITE-INSTABILITY POSITIVE TUMORS USING RIZ, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; MELANIE K. WEBSTER, Registration No. 45,201; ASTRID R. SPAIN, Registration No. 47,956; and KIMBERLY J. PRIOR, Registration No. 41,483.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601

Inventors: Huang and Chadwick  
Serial No.: 10/024,450  
Filed: December 17, 2001  
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The undersigned is authorized to sign on behalf of the  
Assignee.

Signature:



Name (typed):

John Campbell

Title:

Director of Intellectual Property

Assignee:

THE BURNHAM INSTITUTE

Date:

May 21, 2002

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: METHODS OF DETECTING AND TREATING  
MICROSATELLITE-INSTABILITY POSITIVE  
TUMORS USING RIZ

Application Ser. No.: 10/024,450

Filed: December 17, 2001

Inventor(s): Huang and Chadwick

Attorney Docket No.: P-LJ 5101

THE BURNHAM INSTITUTE, a non-profit organization, states that it is a co-assignee with The Ohio State University of the entire right, title and interest in the patent application identified above by virtue of an assignment from an inventor of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: May 21, 2002

Signature: \_\_\_\_\_

Name: John Campbell

Title: Director of Intellectual Property

COPY

ASSIGNMENT

This Assignment is made by Shi Huang of San Diego, California, Assignor, to The Burnham Institute, Assignee, having a place of business at 10901 North Torrey Pines Road, La Jolla, California 92037.

WHEREAS, Assignor is a joint inventor of a new and useful METHODS OF DETECTING AND TREATING MICROSATELLITE-INSTABILITY POSITIVE TUMORS USING RIZ for which an application for United States Letters Patent was filed on December 17, 2001, in the United States Patent and Trademark Office, bearing Serial No. 10/024,450, and identified as Attorney Docket No. P-LJ 5101.

WHEREAS, Assignor believes that Assignor is one of the original joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entirety of Assignor's right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor sells, assigns, and transfers to Assignee, the entirety of Assignor's right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to said application under Title 35, United States Code, Sections 120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, Assignor and Assignor's legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for

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perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that Assignor has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks and all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional, continuation, or reissue application, to Assignee, its successors and assigns, as an assignee of the entirety of Assignor's interest in said invention.

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IN WITNESS WHEREOF, Assignor has executed this  
 Assignment on the date(s) provided below.

Assignor: Shi Huang

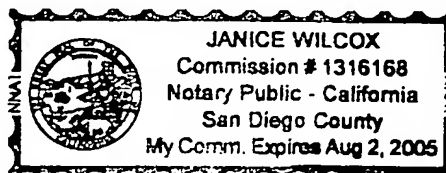
[Signature] 5-29-02  
 Signature Date

STATE OF California )  
 COUNTY OF San Diego )

On May 29<sup>th</sup> 2002, before me Janice Wilcox  
 personally appeared Shi Huang,  
X personally known to me - OR -        proved to me on the basis  
 of satisfactory evidence to be the person(s) whose name(s) is/are  
 subscribed to the within instrument and acknowledged to me that  
 he/she/they executed the same in his/her/their authorized  
 capacity(ies), and that by his/her/their signature(s) on the  
 instrument the person(s), or the entity upon behalf of which the  
 person(s) acted, executed the instrument.

WITNESS by hand and official seal.

[Signature]  
 (Signature of Notary)



COPY

ASSIGNMENT

This Assignment is made by Robert Chadwick of Bothell, Washington, Assignor, to The Ohio State University, Assignee, having a place of business at 1960 Kenny Road, Columbus, Ohio, 43210.

WHEREAS, Assignor is a joint inventor of a new and useful METHODS OF DETECTING AND TREATING MICROSATELLITE-INSTABILITY POSITIVE TUMORS USING RIZ for which an application for United States Letters Patent was filed on December 17, 2001, in the United States Patent and Trademark Office, bearing Serial No. 10/024,450, and identified as Attorney Docket No. P-LJ 5101.

WHEREAS, Assignor believes that Assignor is one of the original joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entirety of Assignor's right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor sells, assigns, and transfers to Assignee, the entirety of Assignor's right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to said application under Title 35, United States Code, Sections 120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, Assignor and Assignor's legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for

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perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that Assignor has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks and all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional, continuation, or reissue application, to Assignee, its successors and assigns, as an assignee of the entirety of Assignor's interest in said invention.



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IN WITNESS WHEREOF, Assignor has executed this  
 Assignment on the date(s) provided below.

Assignor: Robert B. Chadwick

[Signature] 7/24/02  
 Signature Date

STATE OF California )  
 COUNTY OF Alameda )

On July 25, 2002, before me Cora Judd  
 personally appeared Robert B. Chadwick,  
 personally known to me - OR - ☒ proved to me on the basis  
 of satisfactory evidence to be the person(s) whose name(s) is/are  
 subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized  
 capacity(ies), and that by his/her/their signature(s) on the  
 instrument the person(s), or the entity upon behalf of which the  
 person(s) acted, executed the instrument.

WITNESS by hand and official seal.

[Signature]  
 (Signature of Notary)

